

REMARKS/ARGUMENTS

Applicant would like to thank the Examiner for the careful consideration given the present application. The application has been carefully reviewed in light of the Office Action, and amended as necessary to more clearly and particularly describe the subject matter that Applicant regards as the invention.

Claims 1 and 4 have been amended.

The information disclosure statement filed 02/07/2006 was objected to for failure to comply with 37 CFR 1.98(a)(2). A supplemental information disclosure statement was filed on October 13, 2008 to address these issues.

Additionally, the drawings were objected to regarding features specified in claim 4. Accordingly, per the Examiner's request, the limitation "locking device" has been removed from claim 4. No new matter is entered.

Claims 1-6 were rejected under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. With regard to claim 1, the Examiner has alleged that the limitation reciting that the "opening is extending in an axial direction of the trimmer head" is indefinite. It is respectfully submitted that the Examiner is in error. The opening (19) is V-shaped and extends axially along the trimmer head axis, as shown in FIG. 2. The trimmer head is cylindrically shaped around a center axis (not shown). The V-shaped opening (19) extends in the same axial direction as the center axis of the trimmer head. By extending in an axial direction, the V-shaped opening (19) provides access to both the first and second sections (11, 12). The mere fact that the opening (19) is in the trimmer head does not render it radial in direction. Rather, by extending

parallel to the trimmer head's axis, the opening extends in an axial direction. Claim 4 has been amended to address the issues identified by the Examiner. Amended claim 4 states, in pertinent part, "the cylindrical section (16) is provided with a locking device that secures one end of the cutting filaments to the bobbin (10)." Withdrawal of the rejections is requested.

Claims 1-6 were rejected under 35 USC 102(b) as being anticipated by U.S. 5,522,141 to Sugihara et al. Claim 1 has been amended to state, in pertinent part, "said opening (19) is non-circular having a first and a second end (21, 22), and that one side of the opening (19) has a groove shaped so that the cutting filament (13,14) is placed in the groove when the trimmer head rotates in the intended direction." Sugihara et al. does not describe such structure.

Conversely, Sugihara et al. describes a cutting head for a cord-type mower driven by an engine. Each cord is wound around a bobbin. The end of each cord passes through an associated slot and extends outside a casing. The cord which extends through the slot is also rotated to cut grass or the like. The slot rotates together with the casing as centrifugal force draws the cord outside of the casing through the slot. The Examiner asserts on page 6 of the office action that the slot is circular and that an arcuate portion of the circular opening constitutes a groove. Accordingly, there is no mention of a slot having a non-circular opening with a first and a second end. It is respectfully submitted that the Examiner is in error regarding the arcuate portion of the circular opening constituting a groove. There is no indication that the slot has a groove for the placement of the cutting filament. Furthermore, it appears as if the circular opening is nothing more than a circle for the passage of a cord.

In distinction, amended claim 1 now states that “said opening (19) is non-circular having a first and a second end (21, 22), and that one side of the opening (19) has a groove shaped so that the cutting filament (13,14) is placed in the groove when the trimmer head rotates in the intended direction.” For example, as shown in FIG. 2 of the instant application, the opening (19) is non-circular, as it is V-shaped. The opening has a first end (21) at the top and a second end (22) at the bottom. The filament may be placed in either end initially. When the trimmer head rotates at high speed in the intended direction, the cutting filament slides from the initial placement, either the first end (21) or the second end (22), into a position towards the inside of the tip end (20) of the opening, referred to as the groove. Conversely, in Sugihara et al., the circular slot has neither a first end nor a second end, but rather, is merely a circle. Additionally, the cord 11 does not slide into a groove, but rather remains within the circle. In the instant application, the groove is a distinct portion of the opening, as are the first and second ends (21, 22).

Thus, for at least the foregoing reasons, Sugihara et al. does not include all of the limitations of amended claim 1, as is required to support a rejection under 35 USC 102(b). Accordingly, it is respectfully submitted that amended claim 1 is now in condition for allowance. Additionally, because claims 2-6 are dependent upon amended claim 1, claims 2-6 are also now believed to be in condition for allowance. Withdrawal of the rejections is requested.

In light of the foregoing, it is respectfully submitted that the present application is in condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in condition for allowance, the Examiner is invited

Appln. No. 10/567,478
Amendment dated December 10, 2008
Reply to Office action dated September 11, 2008

to initiate a telephone interview with the undersigned attorney to expedite prosecution of the present application.

If there are any additional fees resulting from this communication, please charge same to our Deposit Account No. 16-0820, our Order No. ABE1-39642.

Respectfully submitted,
PEARNE & GORDON, LLP

By: 
Ronald M. Kachmarik—Reg. No. 34512

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: December 10, 2008